

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)

) RAD REFERRAL #02L-07

MUR # 5453

Giordano for United States Senate and  
its treasurer; et al.

)

Former treasurer, James S. Paolino, in  
his personal capacity;

)

Former deputy treasurer, Thomas M.  
Ariola, Jr., in his personal capacity;

)

Philip Giordano;

)

Salvatore Trovato;

)

Dawn Giordano;

)

Patriot National Bank;

)

Diabes Brothers, Inc.;

)

Diabes Brothers, Inc. II;

)

DiBacco Plumbing & Heating, Inc.;

)

En-Tech Corporation, Inc.;

)

Northeast Cosmetology, Inc.;

)

R.P.L.;

)

The Red Lion, Inc.;

)

Timothy Longino

)

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission executive session on May 18, 2004, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in RAD Referral #02L-07:

1. Open a MUR.
2. Find reason to believe that the Giordano for United States Senate Committee and its treasurer violated 2 U.S.C. §§ 441b(a), 441a(f), 432(i), and 434(b)(3)(A).
3. Take no further action against the Giordano for United States Senate Committee and its treasurer regarding the reason to believe finding the Commission made in AF #713 with respect to the 2002 Mid-Year Report.

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4. Find reason to believe that the Giordano for United States Senate Committee and its treasurer violated 2 U.S.C. § 434(a) regarding the 2002 Year End Report, but take no further action.
5. Find reason to believe that former treasurer James S. Paolino violated 2 U.S.C. §§ 441b(a) and 441a(f) in his personal capacity.
6. Find reason to believe that former deputy treasurer Thomas M. Ariola, Jr., violated 2 U.S.C. §§ 441b(a), 441a(f), and 434(b)(3)(A) in his personal capacity.
7. Find reason to believe that Philip Giordano violated 2 U.S.C. §§ 441b(a) and 441a(f).
8. Find reason to believe that Patriot National Bank violated 2 U.S.C. § 441b(a).
9. Find reason to believe that Dawn Giordano violated 2 U.S.C. §§ 441a(a)(1)(A) and 441a(a)(3).
10. Find reason to believe that Salvatore Trovato violated 2 U.S.C. §§ 441a(a)(1)(A) and 441a(a)(3).
11. Find reason to believe that En-Tech Corporation violated 2 U.S.C. § 441b(a).
12. Find reason to believe that Diabes Brothers, Inc. violated 2 U.S.C. § 441b(a), send an admonishment letter, and close the file as to this respondent.
13. Find reason to believe that Diabes Brothers, Inc. II violated 2 U.S.C. § 441b(a), send an admonishment letter, and close the file as to this respondent.
14. Find reason to believe that DiBacco Plumbing & Heating, Inc. violated 2 U.S.C. § 441b(a), send an admonishment letter, and close the file as to this respondent.
15. Find reason to believe that Northeast Cosmetology, Inc. violated 2 U.S.C. § 441b(a), send an admonishment letter, and close the file as to this respondent.

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16. Find reason to believe that R.P.L. violated 2 U.S.C. § 441b(a), send an admonishment letter, and close the file as to this respondent.
17. Find reason to believe that The Red Lion, Inc. violated 2 U.S.C. § 441b(a), send an admonishment letter, and close the file as to this respondent.
18. Find reason to believe that Timothy Longino violated 2 U.S.C. § 441a(a)(1)(A).
19. Enter into conciliation with En-Tech Corporation and Timothy Longino prior to a finding of probable cause to believe.
20. Approve the appropriate Factual and Legal Analyses
- 21.
22. Approve the Conciliation Agreements, as recommended in the General Counsel's Report dated May 3, 2004.
23. Approve the appropriate letters.

Commissioners Mason, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision. Commissioner McDonald did not vote.

Attest:

May 19, 2004  
Date

Darlene Harris  
Darlene Harris  
Deputy Secretary of the Commission

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